

174 milligrams of phosphorus per 100 milliliters, or 3.4 milligrams of iron and 78 milligrams of phosphorus per the recommended daily dose of 3 tablespoonfuls, for adults. Caffeine in the daily dose was 23 milligrams.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label and in an enclosed circular entitled "Ceregen" were false and misleading since they represented and suggested that the article would be efficacious in the cure, mitigation, treatment, and prevention of some, but not all, cases of physical exhaustion and nervous hyposthenia, general muscular weakness, irritability, and lack of appetite; that it would be efficacious as a tonic and as an aid to convalescence after an exhausting illness; that it would promote better nervous stability, greater physical energy, and increased vitality; that it would aid in supplying deficiencies of iron, phosphorus, and other salts; and that all of its ingredients were of the standard of purity and strength established by the United States Pharmacopoeia. The article would not be effective to fulfill the promises of benefit stated and implied, and some of the ingredients are not recognized by the United States Pharmacopoeia.

Further misbranding, Section 502 (a), the label statements, "A Well Balanced Medicinal Preparation * * * This product is compounded of the following ingredients per 100 cc.: Sod. Phosphate .876, Pot. Phosphate .292, Phosphoric Acid .286, Sod. Glycerophosphate .117, Pot. Glycerophosphate .189, S. Ext. of Kola (1-5) 1.752, S. Ext. of Dandelion (1-3) .076, Manganese Hypophosphite .011, Tr. Iron Citrochloride .174, Sod. Citrate .560, Glycerine 2.804, Alcohol 11.10," were misleading since they created the impression that the article possessed therapeutic value, whereas the article, if consumed in accordance with the directions on the label, "Dose: For Adults: One tablespoonful three times a day; for children over 12 years: One teaspoonful three times a day, to be taken before or after meals," would be essentially worthless as a therapeutic agent.

Further misbranding, Section 502 (a), the following statements in the circular were misleading since the composition of the article denominated "Ceregen" has not remained the same since 1896; it does not represent years of experimentation; and physicians and dietitians do not believe that the ingredients of the article have been combined with "balance," revealing deep knowledge of the properties and reactions of the alkaloids and phosphates in their relation to the human body: "When Dr. Charles J. Ulrici established the firm now bearing his name in the year 1896, it was with the thought of placing within reach of the average person the results of long years of experimentation in the pharmaceutical field. One of his best known formulas is that of Ceregen. Physicians and dietitians who have had occasion to study this formula believe Dr. Ulrici combined its ingredients with excellent balance, revealing deep knowledge of the properties and reactions of the alkaloids and phosphates in their relation to the human body."

DISPOSITION: June 20, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1678. Misbranding of fenugreek tea. U. S. v. 10 Dozen Cartons and 5 Dozen Cartons of Fenugreek Tea, and a quantity of printed matter. Default decree of condemnation and destruction. (F. D. C. No. 16042. Sample No. 3049-H.)

LABEL FILED: April 18, 1945, District of Columbia.

PRODUCT: 10 dozen cartons, \$0.50 size, and 5 dozen cartons, \$1.50 size, of *fenugreek tea* which was being offered for sale in the District of Columbia by the Vita Health Food Co., Washington, D. C., together with a number of accompanying booklets entitled "Vita Health News" and placards entitled "Stomach Agony" and "Upset Stomach."

Examination disclosed that the product consisted essentially of fenugreek seeds.

LABEL, IN PART: "Lelord Kordel's Fenugreek tea Consists of Fenugreek Seeds * * * Lelord Kordel Products * * * Chicago."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements and the designs of the stomach, kidney, liver, and intestinal tract, appearing in the booklets and placards, were false and misleading since the statements and designs represented and suggested that the article would be effective in the treatment of stomach agony, sour taste in the mouth, gas pains, upset stomach, liver and intestinal irritations, belching, colitis, ulcers, headaches, backaches,

a tired-out feeling, rheumatic and neuritic pains, and general physical debility; that it would flush out thick, stagnant bile; that it would assist in the flushing of the kidneys; that it would make the digestive organs feel sweet and clean; that it was equal in virtue to quinine for fevers; that it would decrease the nauseating and griping effects of purgatives; and that it would cleanse the bowels gradually. The article would not be effective for those purposes.

DISPOSITION: August 21, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1679. Misbranding of Nielsen Lactic Milk Whey and Nielsen Lactic Agar Whey. U. S. v. 55 Bottles of Nielsen Lactic Milk Whey and 20 Bottles of Nielsen Lactic Agar Whey, and 5,000 circulars. Consent decree of condemnation and destruction. (F. D. C. No. 16039. Sample Nos. 26451-H, 26452-H.)

LIBEL FILED: On or about April 23, 1945, District of Colorado.

ALLEGED SHIPMENT: By the Nielsen Laboratories, Inc., from Elyria, Ohio. The drugs were shipped on or about January 9 and March 1, 1945, and the circulars were shipped on or about December 1, 1944.

PRODUCT: 55 bottles of *Nielsen Lactic Milk Whey*, 20 bottles of *Nielsen Lactic Agar Whey*, and 5,000 circulars at Denver, Colo. Various circulars were entitled: "Nielsen Health Products * * * Diabetes [or "Constipation," "Colitis," "Gastric Ulcers," "High Blood Pressure," "Dyspepsia & Gastritis," "Rheumatism & Arthritis," or "Hyperacidity & Dyspepsia"]." Other circulars were entitled: "Nielsen Lactic Milk Whey Aids Digestion," "Nielsen Lactic Milk Whey," "Nielsen Lactic Agar Whey," and "The pH In Colon Therapy."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circular entitled "The pH in Colon Therapy" were false and misleading since they represented and suggested and created the impression that the *Milk Whey* would be effective in the treatment of constipation, in replacing *Bacillus acidophilus* therapy inducing an acid colon, and in ridding the intestinal tract of harmful bacteria, whereas the article would not be effective for such purposes.

Further misbranding, Section 502 (a), certain statements in the other circulars accompanying the articles were false and misleading since they created the impression that the *Milk Whey* and the *Agar Whey*, alone or in combination, would be effective in aiding digestion, in eliminating body poisons, and in promoting and maintaining good health; that they would be effective in retarding fermentation, gas production, and the formation of harmful bacteria or toxic poisons in the intestines; that they would be effective in the treatment of constipation, diabetes, colitis, gastric ulcers, high blood pressure or arteriosclerosis, low blood pressure, dyspepsia, indigestion, gastritis, rheumatism, arthritis, hyperacidity or acid stomach, diarrhea, and dysentery; and that they would act on the underlying causes of constipation and would rid the intestinal tract of harmful bacteria. The articles, alone or in combination, would not be effective for such purposes.

Further misbranding, Section 502 (a), the designation of the product, "Lactic Agar Whey for Constipation," was misleading since the article depended upon mineral oil for its laxative action.

DISPOSITION: June 25, 1945. The Nielsen Laboratories, Inc., having consented to the entry of a decree, judgment of condemnation was entered and the products, including the circulars, were ordered destroyed.

1680. Misbranding of Schrage's Medicine. U. S. v. 66 Packages of Schrage's Medicine. Default decree of condemnation and destruction. (F. D. C. No. 15293. Sample No. 96922-F.)

LIBEL FILED: February 22, 1945, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about May 4, 1944, by the Frank Schrage Laboratories, Chicago, Ill.

PRODUCT: 66 packages, each package containing a bottle of a liquid preparation and an envelope containing pills. Analysis showed that the liquid consisted essentially of sodium salicylate, potassium iodide, sugar, alcohol, water, and extracts of plant drugs, including a laxative drug. The pills consisted essentially of mercury and laxative plant drugs.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the bottle labels, envelopes, and in an accompanying circular, were false and misleading since they represented and suggested that the liquid medicine would